S.B. Civil Writ Petition NO.2817/2005
Punjraj Singh & Ors.
vs
Board of Revenue & Ors.

DATE OF ORDER : - 19.5.2005.

HON'BLE MR. PRAKASH TATIA,J.

Mr.RS Chundawat, for the petitioner.

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Heard learned counsel for the petitioner.

By this writ petition, the petitioner wants to challenge various orders, which have been passed in mutation proceedings. The petitioner's claim is that petitioner is Khatedar-tenant in the land in question and his name was rightly entered in the revenue record,but in the appeal and in the proceedings thereafter, the orders have been passed against the petitioner and because of that only the revenue entires are sought to be changed.

Since in the mutation proceedings, right, title or interest of the property are not decided and the appropriate remedy thereafter is by filing the suit for appropriate relief including the relief of injunction and ultimate decision of the court in such a matter prevails over all the orders passed in mutation proceedings, therefore, this Court is not inclined to re-assess and appreciate the factual aspect of the matter to

find out the entitlement of the parties for the agricultural land. Since mere entry in the revenue record cannot effect the right, title or interest in the property, therefore, even if there is a change in revenue entry in pursuance of the orders passed in mutation proceedings, the petitioner will have the right to establish his case before the court of competent jurisdiction, which may pass appropriate order on the petitioner's petition for grant of any relief. Therefore, also, I do not find any reason for interference or staying the operation of any of the order while dismissing the writ petition.

In view of the above, I do not find any merit in this writ petition and the same is hereby dismissed.

(Prakash Tatia), J.

c.p.goyal/-